

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

SCRANTON

for the
District of

PENNSYLVANIA

Division

Mr. CHRISTOPHER SANDERS SA
AND THE SANDERS FAMILY, et al

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

THE CITY AND STATE OF SCRANTON
PENNSYLVANIA, ALSO PUBLIC AGENCIES AND POLICE
OFFICERS OF ANOTHER UNITED STATES OF AMERICA, et al

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

3:18-CV-1505

(to be filled in by the Clerk's Office)

Jury Trial: (check one)

 Yes NoFILED
SCRANTON

JUL 27 2018

PER

GK
DEPUTY CLERK

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

CHRISTOPHER SANDERS SA
FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 8000 BRADFORD, PA 16701

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

GALLIKER DAIRY CO

CHEIF

JOHNSTOWN PA

15904 PENNSYLVANIA

DONT KNOW PROBLEM STARTED IN FCI McDOWELL
AN END IT IN FCI McDowell, milk

Defendant No. 2

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

BENJAMIN FOOD'S

CHEIF

HATBORO PA

PENNSYLVANIA

1855-BEN-FOOD, PROBLEM
STARTED IN FCI BUTNER (2) AN END IT ^{SUGAR}
IN FCI BUTNER (2) THAT I CAN SEE,

Defendant No. 3

Name

Job or Title (if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address (if known)

PRO AIR

CHEIF

PENNSYLVANIA

MEDICAL Problem STARTED
IN FCI McDowell ALL THE WAY TO
FCI MCKEAN AN END IT IN FCI MCKEANORIGINAL
Snyder of BERLIN POTATO CHIPS

Cheif

BERLIN - PA

BERLIN, PENNSYLVANIA, 15530
188-2578042WWW.SnyderofBERLIN.Com
PROBLEM with SNYDER CHIPS STARTED IN
FCI MCKEAN AN END IT IN FCI MCKEAN

Page 2 of 5

END IT MEAN'S KNOW longer HAVE THE Problem

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

Federal question

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Negligence failing to use the type of care of professional should reasonably use in a given situation. Also Fraud, Breach: The defendant(s) failed to perform as required under contract. Damages: The defendant(s) failure to perform caused the economic loss. Performance, I performed as required under the contract.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) CHRISTOPHER SANDERS, is a citizen of the State of (name) PENNSYLVANIA

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____ and has its principal place of business in the State of (name) _____

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) PENNSYLVANIA Or is a citizen of (foreign nation) _____

I AM IN THE NATION OF ISLAM

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b. If the defendant is a corporation

The defendant, (name) SEE COUNSEL, ATTORNEY is incorporated under the laws of the State of (name) SEE COUNSEL, ATTORNEY, and has its principal place of business in the State of (name) SEE COUNSEL, ATTORNEY.
 Or is incorporated under the laws of (foreign nation) SEE COUNSEL, ATTORNEY, and has its principal place of business in (name) SEE COUNSEL, ATTORNEY.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain)

When I TORT CLAIM, ANY DOCUMENT(S) ARE SENT TO

GTAND, P TEXAS REGIONAL OFFICE, HOW LONG DO IT TAKE TO BE TRANSFERRED
TO, PHILADELPHIA, PA REGIONAL OFFICE, AND PUT WITH BP CO.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I MOVATTI MT. CHRISTOPHER SANDERS SR. DOCKET # NUMBER
07-430-1, DATE OF BIRTH 2-21-1984 LAST 4 OF (SSN) 4283.
JUT OF PHILADELPHIA, PENNSYLVANIA 19106, COURT HOUSE 601 MARKET, ST PHILA, PA 19106
ROOM 2609, JUDGE SANCHEZ, USA ARICAN FISK. DONT HAVE TO STATE THE HOME
BACKGROUNDS MY CLAIM ONLY MAKE Vague STATEMENT SEE FOOT
NOTES

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed; the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

ATTORNEY FEE'S MEDICAL BILLS

HOME IN PROVEMENT

EJC

FOOT NOTE FOR YOU
SMOOTHING TO LOCATE TO COURT OF
CHRISTOPHER SANDERS,
ANOTHER SANDERS FAMILY ET AL
VS. PLAINTIFF(S)

THE CITY AND STATE OF HARRISBURGH
PENNSYLVANIA, PUBLIC AGENTS AND
POLICE OFFICERS, AND THE UNITED STATES
OF AMERICA, ET AL

Defendant(s)

Complaint under 42
U.S.C. SECTION 1983 AND
1985, CIVIL NUMBER
Should be supported
by Clerk

DOCKET NUMBER
07-430-1

JURY TRIAL DEMAND

① Request That This Civil Rights Complaint go TO a magistrate Judge, I
MOVANT UNDERSTAND THAT THE DISTRICT JUDGE TO whom THE CASE IS ASSIGNED
MAY Refer THE CASE TO A MAGISTRATE JUDGE for assistance in managing it
TO DO SO THE DISTRICT JUDGE SIGNS AN ORDER OF REFERRENCE, ONCE A CASE
HAS BEEN REFERRED TO A MAGISTRATE JUDGE, SUBSEQUENT COURT PROCEED IN
Conducted before that judge. ② MOVANT CHRISTOPHER SANDERS DOCKET #
NUMBER 074301. MOTION REVIEW: I DO NOT DISTRICT OR MAGISTRATE

JUDGE MAY SCHEDULE HEARINGS TO PROVIDE WITH A OPPORTUNITY TO ARGUE THE
MOTION AND OBJECTION, OR THE JUDGE MAY DECIDE A HEARING AND RULE ON
THE MOTION BY ISSUING A WRITTEN ORDER THAT EITHER GRANTS DENIES OR
PARTIALLY GRANT AND PARTIALLY DENIES WHAT THE MOTION SUGGESTS OR

③ NOTICE OF MAGISTRATE JUDGE AVAILABILITY A UNITED STATES MAGISTRATE JUDGE
OF THIS COURT IS AVAILABLE FINAL JUDGEMENT, THE JUDGEMENT MAY THEN BE
APPEALED DIRECTLY TO THE UNITED STATES COURT OF APPEALS LIKE ANY OTHER
JUDGEMENT OF THIS COURT A MAGISTRATE JUDGE MAY EXERCISE THIS
AUTHORITY ONLY IF ALL PARTIES VOLUNTARILY CONSENT. ④ YOU MAY CONSENT
TO HAVE YOUR CASE REFERRED TO THE CURRENTLY ASSIGNED MAGISTRATE
JUDGE OR YOU MAY WITHHOLD YOUR CONSENT WITHOUT A DIVERSE, SUBSTANTIAL
CONSEQUENCES, THE NAME OF ANY PARTY WITH HOLDING CONSENT WILL NOT
BE REVEALED TO ANY JUDGE WHO MAY OTHERWISE BE INVOLVED
WITH YOUR CASE ⑤ FACTUAL ASSERTIONS IN PLAIN ENGLISH: YOU

SHOULD BRIEFLY RECITE THE FACTS (ALLEGATIONS) I DO NOT HAVE TO STATE ALL
THE BACKGROUND FACTS INVOLVED IN MY CLAIM. IN DETAIL I DO NOT HAVE
TO DO MORE THAN MAKE A VAGUE STATEMENT. DEFENDANT(S) HAS
REFUSED TO PAY US THAT IS DUE AND OWING UNDER TERMS OF CONTRACT
⑥ RELIEF: THE PRAYER FOR RELIEF MOST OFTEN WE ASK FOR MONEY
DAMAGES WE MAY ALSO ASK THE COURT TO ORDER THE DEFENDANT(S) TO DO
SMOOTHING. RELIEF: MONEY ETC

COSTS IN TOO

CHRISTOPHER SANDERS SE MCKEAN 62316-066
FEDERAL CORRECTIONAL INSTITUTION REG#
P.O. BOX 8000, BRADFORD, PA 16701

filing fee. MY PAPER WORKS SHOULD MY DOCUMENT SHOULD
SAY → SANDERS

6/23/2018

Because the process of reviewing your application may take more than one business day, you should call the intake office the following day to determine whether it was approved. The telephone number is (801) 524-6100.

SECTION VI REQUEST FOR APPOINTMENT OF COUNSEL

Pro se litigants may ask the court to appoint an attorney or counsel, for them in a civil case. The Court has a limited number of attorneys who accept cases on behalf of the Court. These attorneys serve *pro bono*, or without charge, to the *pro se* litigant. *Pro se* litigants have no right to be represented by court-appointed counsel, and the court has no obligation to appoint counsel. The court will appoint counsel only in a few select cases where having an attorney seems particularly appropriate or important. If you would like to request that the court appoint counsel to represent you in your lawsuit, you must file a "motion for appointment of counsel" form with the court. The form should be filed with the complaint. A copy of a motion for appointment of counsel is attached to this Guide as Appendix E.

I, FORMATION, YOU ME AND THE DEFENDANT(S) HAD
A LEGALLY BINDING CONTRACT. PENNSYLVANIA

PERFORMANCE I, WE PERFORMED AS REQUIRED UNDER THE CONTRACT SEE
CHRISTOPHER SANDERS
③ BREACH: THE DEFENDANT(S) FAILED TO PERFORM AS REQUIRED UNDER
CONTRACT. HARM DONE TO ME AGAIN SEE YERS 2003, 2009

DAMAGES! THE DEFENDANT(S) FAILURE TO PERFORM CAUSED ME USECONOMIC
LOSS. SEE MY ATTORNEY IF ONE IS GRANTED, I
I, UNDERSTAND, JURISDICTIONAL I WAS TOLD BY INSTITUTION
STAFF, OFFICERS TO SEND THIS COMPLAINT TO THIS COURT AFTER I TOLD
SEE REGIONAL COURT PHILADELPHIA, TEXAS AND AL
ALSO H.S.A. HEALTH ETC

I DECELORE UNDER PENALTY OF PERJURY THAT THE ALLEGATIONS
IN THE COMPLAINT ARE TRUE. 15
6/23/2018

SING DATE 6/23/2018
CHRISTOPHER SANDERS

62316-066

PRISON ID NUMBER

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V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law, or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

17-15-2018

Signature of Plaintiff

Printed Name of Plaintiff

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

CHRISTOPHER SANDERS SR

NOTE: CHRISTOPHER SANDERS SR
SHOULD BE ON ALL DOCUMENT(S) 1

When A Expert witness get's PAID His/Her Check CLEARS Do I PLAINTIFF get APPPOINTED COUNSEL, I SHOULD, When How Long Before A ATTORNEY CONTACT ME 7-12-2018
HOW BURDEN OF PROOF 7-5-2018 ALSO SEND BPI TO ~~Regional COUNSEL~~ REVIEW VIDEO, ON FCI MCKEAN COMPOUND 7-5-18 TO 7-13, 2018. 5-12-18 TO 5-13 I WAS TOLD TO FILE TORT CLAIMS BY ~~DOCKET~~ NUMBER 07-630-1 7-19-18

3. Case No.: DOCKET, NUMBER 07-630-1

4. Date filed: 7-19-18

5. Name of Judge that handled the case: Judge (s) are in my property in SAU

6. Disposition (won, dismissed, still pending, on appeal): STILL PENDING

7. Date of Disposition:

II. Administrative Proceedings

A. If you are a prisoner, did you file a grievance as required by the prison's administrative remedy procedures?

YES

NO

WASTOLD BY REGIONAL COUNSEL A NUMBER THAT
WAS GIVEN AFTER I S. BROOKLYN, NEW YORK
CASE 1:17-CV-03593-KAM-RLM

1. If you answered YES:

a. What was the result? THE REGIONAL COUNSEL

TOLD ME TO FILE SUIT IN DISTRICT COURT PENDING

b. Did you appeal? YES TO DISTRICT COURT PHILADELPHIA

YES NO TOLD ME TO FILE TO DISTRICT COURTS
AN MID-ATLANTIC TOLD ME TO SEE,

2. If you answered NO to either of the questions above, explain why: SEE,

COUNSEL IN PHILADELPHIA-PA 19106, 601

WALNUT STREET SUITE 540 WEST CURTIS CENTER
(NINA SP2)

III. Statement of Claim

(Briefly state the facts of your case. Include dates, times, and places. Describe what each defendant did or how he/she is involved. If you are making a number of related claims, number and explain each claim in a separate paragraph.)

Negligence Failing To Use The Type of CARE
of Professional Should Reasonably Use in a
Given Situation Also Fraud. Also HAVING

PHILADELPHIA, PA 601 MARKET 19106-9865 ROOM 2609
MOVE MY HEARING for MY 2255 Pending Motion, BACK, ETC
PROGRAM STATEMENT 3420, 11 SHOULD BE
LOOKED INTO, IN THIS MATTER ALSO
MEDICAL FEDERAL TORT CLAIM ACT

c. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) PENDING SEE AFRICAN FISH AT
d. Issues raised 615 CHESTNUT ST PHILADELPHIA, PA 19106
UNITED STATES DISTRICT ATTORNEY

Office: CAN NOT GET MY PROPERTY TO

11 STAFF

SOMETIME 2016 OR 17

e. When did you file the lawsuit?

Date Month Year

f. When was it (will it be) decided? After SEEING JUDGE

2. Have you previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C? YES NO If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.

I WAS TOLD TO SPEAK TO A ATTORNEY.

I WAS ALSO TOLD TO FILE SUIT IN THE
UNITED STATES DISTRICT COURT. THIS ONE OF
THE REASONS WHY I HAVE SENT THIS
COMPLAINT TO THIS CLERKS OFFICE. I
WAS TOLD BY A STAFF AT A FEDERAL
CORRECTION INSTITUTION TO DO SO.

F. REQUEST FOR RELIEF

I believe that I am entitled to the following relief:

A ATTORNEY & A RECOMMENDATION TO
JUDGE SANCHEZ AND DISTRICT ATTORNEY
ASSISTANCE AFRICAN FISH FAVOR A "LAWYER".

601 MARKET, STREET PHILADELPHIA, PA 19106-9865
COURT - Room 2609 DOCKET 07-430-1
CASE 2:17-CV-0255-JS (Cv.7
CRIMINAL # 07-430-CR-0 ETC.

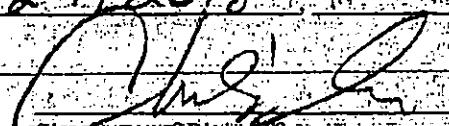
IV. Relief

(State briefly what you want the Court to do for you) //

I WOULD LIKE A CALL TO JUDGE SANCHEZ AT
TO 615 CHESTNUT, ST PHILADELPHIA, PA 19106, TO ARICAN, FISK
REQUESTING THAT ITS OK TO SEE ME ON MY 2255
MOTION, ALSO A CHANCE TO FIGHT WITH, Police officer
IN AGENTS IN COURT FOR HOLDING MY 2255 UP ETC.

SIGNED THIS 29 day of

01/29/2018


Signature of Plaintiff

SAC

CHRISTOPHER SANDERS

Printed Name FEDERAL CORRECTIONAL
INSTITUTION MCKEAN, P.O. BOX
8000, BRADFORD, PA 16701

Address

Telephone Number

Email Address

SEE, DA UNIT TEAM FOR
Information on THIS FORM

This is my second 1983 form
TO THIS OFFICE, SECOND
Change of ADDRESS, 3 NOTE.

PLEASE TAKE THIS ONE AS MY 1983 CIVIL RIGHTS COMPLAINT

ADDRESS

MCKEAN

FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 8000, BRADFORD, PA 16701

YOU NEED
YOU TO
DO IT

FOR AS
NOT

In some cases civil actions can or the
within time turns into case action
CIVIL ACTIONS

A CASE NUMBER IS SOMETIMES CALLED
A CIVIL DOCKET NUMBER.

Procedure 79(a); or

(ii) if Federal Rule of Civil Procedure 58(a) requires a separate document, when the judgment or order is entered in the civil docket under Federal Rule of Civil Procedure 79(a) and when the earlier of these events occurs:

- the judgment or order is set forth on a separate document, or
- 150 days have run from entry of the judgment or order in the civil docket under Federal Rule of Civil Procedure 79(a).

(B) A failure to set forth a judgment or order on a separate document when required by Federal Rule of Civil Procedure 58(a) does not affect the validity of an appeal from that judgment or order.

(b) Appeal in a Criminal Case.

(1) Time for Filing a Notice of Appeal.

(A) In a criminal case, a defendant's notice of appeal must be filed in the district court within 14 days after the later of:

- (i) the entry of either the judgment or the order being appealed; or
- (ii) the filing of the government's notice of appeal.

(B) When the government is entitled to appeal, its notice of appeal must be filed in the district court within 30 days after the later of:

- (i) the entry of the judgment or order being appealed; or
- (ii) the filing of a notice of appeal by any defendant.

(2) Filing Before Entry of Judgment. A notice of appeal filed after the court announces a decision, sentence, or order—but before the entry of the judgment or order—is treated as filed on the date of and after the entry.

(3) Effect of a Motion on a Notice of Appeal.

(A) If a defendant timely makes any of the following motions under the Federal Rules of Criminal Procedure, the notice of appeal from a judgment of conviction must be filed within 14 days after the entry of the order disposing of the last such remaining motion, or within 14 days after the entry of the judgment of conviction, whichever period ends later. This provision applies to a timely motion: *THE MOTION 2255 THAT CAME TO PC 9, WHICH SAY VACATE AND*

- (i) for judgment of acquittal under Rule 29; *IF OPENED A HCO MOTION WILL BE FILED*

(ii) for a new trial under Rule 33, but if based on newly discovered evidence, only if the motion is made no later than 14 days after the entry of the judgment; or

- (iii) for arrest of judgment under Rule 34.

(B) A notice of appeal filed after the court announces a decision, sentence, or order—but before it disposes of any of the motions referred to in Rule 4(b)(3)(A)—becomes effective upon the later of the following:

- (i) the entry of the order disposing of the last such remaining motion; or

(ii) the entry of the judgment of conviction. *SENTENCE CAN BE DROPPED AFTER THIS*

(C) A valid notice of appeal is effective—without amendment—to appeal from an order disposing of any of the motions referred to in Rule 4(b)(3)(A). *SO WHAT IT SAYS IS M*

(4) Motion for Extension of Time. Upon a finding of excusable neglect or good cause, the district court may—before or after the time has expired, with or without motion and notice—extend the time to file a notice of appeal for a period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule 4(b). *1515*

Doing legal call attorney says same writing on
Judge SANCHEZ NO MOTION OR NO LETTER WAS

SMT. 15TH JUNE 12, 2018 OR 15, 2018 *11*

on your case
or the judge
sentence you m

IN SOME CASE, WE MAY ASK THE COURT TO GRANT
OR GIVE OTHER THINGS THAN MONEY, FOOD, TRANSFER, REC
EXTENSION, OR TRIAL DATE, RECOMMENDATION OR ACTION
NEW TRIAL FEES

the order disposing of the last such remaining motion:

- (i) for judgment under Rule 50(b);
- (ii) to amend or make additional factual findings under Rule 52(b), whether or not granting the motion would alter the judgment;
- (iii) for attorney's fees under Rule 54 if the district court extends the time to appeal under Rule 58;
- (iv) to alter or amend the judgment under Rule 59;
- (v) for a new trial under Rule 59; or ~~THIS 2255 HAVE SAID TRIAL UNIT~~
- (vi) for relief under Rule 60 if the motion is filed no later than 28 days after the judgment is entered.

(B)(1) If a party files a notice of appeal after the court announces or enters a judgment—but before it disposes of any motion listed in Rule 4(a)(4)(A)—the notice becomes effective to appeal a judgment or order, in whole or in part, when the order disposing of the last such remaining motion is entered.

(ii) A party intending to challenge an order disposing of any motion listed in Rule 4(a)(4)(A), or a judgment's alteration or amendment upon such a motion, must file a notice of appeal, or an amended notice of appeal, in compliance with Rule 3(c)—within the time prescribed by this Rule measured from the entry of the order disposing of the last such remaining motion.

(iii) No additional fee is required to file an amended notice.

(5) Motion for Extension of Time.

(A) The district court may extend the time to file a notice of appeal if:

- (i) a party so moves no later than 30 days after the time prescribed by this Rule 4(a) expires; and
- (ii) regardless of whether its motion is filed before or during the 30 days after the time prescribed by this Rule 4(a) expires, that party shows excusable neglect or good cause.

(B) A motion filed before the expiration of the time prescribed in Rule 4(a)(1) or (3) may be ex parte unless the court requires otherwise. If the motion is filed after the expiration of the prescribed time, notice must be given to the other parties in accordance with local rules.

(C) No extension under this Rule 4(a)(5) may exceed 30 days after the prescribed time or 14 days after the date when the order granting the motion is entered, whichever is later.

(6) Reopening the Time to File an Appeal. The district court may reopen the time to file an appeal for a period of 14 days after the date when its order to reopen is entered, but only if all the following conditions are satisfied:

(A) the court finds that the moving party did not receive notice under Federal Rule of Civil Procedure 77(d) of the entry of the judgment or order sought to be appealed within 21 days after entry;

(B) the motion is filed within 180 days after the judgment or order is entered or within 14 days after the moving party receives notice under Federal Rule of Civil Procedure 77(d) of the entry, whichever is earlier; and

(C) the court finds that no party would be prejudiced.

(7) Entry Defined.

(A) A judgment or order is entered for purposes of this Rule 4(a):

- (i) if Federal Rule of Civil Procedure 58(a) does not require a separate document, when the judgment or order is entered in the civil docket under Federal Rule of Civil

SO BY HAVING THE PENDING 2255 AND THEN GIVEN A CIVIL DOCKET NUMBER
A CIVIL ACTION HAS BEEN PUT TOGETHER. OTHER LAW SUITS SHA'S

Federal Correctional Institution McKean
Name: C. H. K. St. J. Her SAN JUAN R.S.
Reg. #: 62316-0666

PO-Box 8000
Bradford, PA 16701

RECEIVED
SCRANTON

Reg. #: 1008

JUL 21 1988

OFFICE OF THE UNITED STATES DISTRICT COURT

CLERK UNITED STATES DISTRICT COURT

PER DEPUTY CLERK

For the Middle District of Pennsylvania
William J. Nelson, Washington
House 225 North Washington
Box 1148
Avenue 70
Scranton, PA 18501-1148

SCB/AT